



House of Representatives

General Assembly

File No. 133

January Session, 2003

House Bill No. 6445

House of Representatives, April 1, 2003

The Committee on Insurance and Real Estate reported through REP. OREFICE of the 37th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

**AN ACT REQUIRING INSURERS TO DISCLOSE HEALTH BENEFIT
AND CLAIM EXPERIENCE DATA TO CERTAIN BARGAINING
AGENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 38a-981 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003*):

4 (b) (1) An insurance institution or a third-party administrator
5 providing insurance or administrative services with respect to an
6 employer's employee benefit plan which provides its employees with
7 health benefits shall, upon written request of an exclusive bargaining
8 agent for such employees, provide such bargaining agent with
9 information regarding description of health benefits available to such
10 employees, claim experience regarding such benefits and the cost to
11 the employer for such coverage or administrative services, as the case
12 may be, for employees in the bargaining unit represented by such

13 bargaining agent. If such employees constitute a subgroup of a
14 multibargaining unit group, the information provided by the insurer
15 shall, upon written request of the exclusive bargaining agent for the
16 subgroup, include a description of available health benefits, claim
17 experience regarding such benefits and the cost to the employer for
18 such coverage or administrative services, as the case may be, for the
19 entire multibargaining unit group or for subgroups within the
20 multibargaining unit group. A copy of such information shall be
21 provided at the same time to the employer by the insurance institution
22 or administrator. Such information shall be made available to the
23 bargaining agent and the employer only if the bargaining agent agrees
24 in writing to pay all reasonable costs, as determined by the insurance
25 institution or administrator, that are incurred by the insurance
26 institution or administrator in developing and distributing the
27 information. The information provided to such agent shall relate to the
28 group of employees as a whole and shall not include any information
29 relating to specific individuals. No requests made pursuant to this
30 subdivision may seek information which relates to a period of time
31 more than twenty-four months prior to the date such request was
32 made.

33 (2) Prior to providing any information pursuant to subdivision (1) of
34 this subsection, an insurance institution or third-party administrator
35 may require the bargaining agent requesting such information to
36 provide evidence in writing that such bargaining agent is currently
37 designated or certified by the proper state or federal authority as the
38 exclusive bargaining representative or agent of the employees who are
39 the subject of the request.

This act shall take effect as follows:	
Section 1	October 1, 2003

INS *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Insurance Dept.	IF - None	None	None

Note: IF=Insurance Fund

Municipal Impact: None

Explanation

The bill requires insurers to disclose health benefit and claim experience data to certain subgroup bargaining agents. This change does not result in a fiscal impact.

OLR Bill Analysis

HB 6445

***AN ACT REQUIRING INSURERS TO DISCLOSE HEALTH BENEFIT
AND CLAIM EXPERIENCE DATA TO CERTAIN BARGAINING
AGENTS*****SUMMARY:**

Under current law, insurers or third-party administrators (TPAs) that provide insurance or administrative services must provide, at the request of the exclusive bargaining agent for an employee bargaining unit (1) a description of the health benefits the employer makes available, (2) the claims experience relating to such benefits, and (3) the cost to the employer for insurance or administrative services the insurer or TPA provides.

This bill requires insurers and TPAs to provide the same information to the exclusive bargaining agent of an employee subunit within an employee multi-bargaining group.

The bill specifies that if the employees constitute a subunit of a multi-bargaining group, the insurer must provide their exclusive bargaining agents with the health plan information for either (1) the entire multi-bargaining unit, as it currently does, or (2) for the subunit within the multi-bargaining unit, at the request of the exclusive bargaining agent.

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Report

Yea 10 Nay 6